

Application. No. 10/081,910

#### REMARKS

This is in response to the Office Action of 21 December 2004. Claims 1-25 are pending in the application; Claims 1-5, 7-13, 15-23 and 25 have been rejected, and Claims 6, 14 and 24 have been objected to.

By this amendment, Claims 5, 13, 19, and 23 have been cancelled without prejudice or disclaimer; Claims 1, 7-8, 15-16, 20-21, and 25 have been amended, and new Claim 26 has been added.

No new matter has been added.

In view of the amendments above and remarks below, Applicant respectfully requests reconsideration and further examination.

#### About The Invention

The present invention relates generally to methods and apparatus for determining the randomness of a series of output sequences, from a random number generator, meets predetermined criteria, and further relates to generating new random numbers if the criteria are not met.

#### Allowable Subject Matter

The Examiner has indicated that Claims 5, 7, 13, 15, 19-20, 23 and 25 would be allowable if rewritten to overcome the rejections under 35 USC §112, second paragraph, and to include all the limitations of the base Claim and any intervening Claims. Additionally, the Examiner has indicated that Claims 6, 14, and 24 are objected to as being dependent upon a rejected base Claim, but would be allowable if rewritten in independent form including all the limitations of the base Claim and any intervening Claims.

#### Rejections under 35 USC §112, second paragraph

Claims 5, 7, 13, 15, 19-20, 23 and 25 have been rejected under 35 USC §112,

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second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More particularly, the Examiner states that the parameter "n" in Claim 5 lacks antecedent basis, and that Claims 13, 19, and 23 are similarly defective. The Examiner further indicates that Claims 7, 15, 20 and 25 are rejected for being dependent upon Claims 5, 13, 19, and 23 respectively.

By this amendment, Claims 5, 13, 19, and 23 have been cancelled, thereby rendering moot the rejections thereof.

Applicant notes that the contents of cancelled Claims 5, 13, 19, and 23 have been incorporated into independent Claims 1, 8, 16, and 21 respectively. Independent Claims 1, 8, 16, and 21 have been further amended to more clearly define the parameter "n", by reciting that  $n >> 1$ . Support for this amendment can be found in the specification at page 9, line 12. Additionally, Claims 7, 15, 20, and 25 have been amended to depend from amended independent Claims 1, 8, 16, and 21, respectively.

In view of the foregoing, Applicant respectfully submits that appropriate antecedence has been established for the parameter "n", and that the rejection of Claims 7, 15, 20 and 25 has been overcome.

#### Rejections under 35 USC §103(a)

Claims 1-4, 8-12, 16-18 and 21-22 have been rejected under 35 USC §103(a) as being unpatentable variously over Brennan, et al. (US Patent 5,675,649), in view of NIST (Random Number Generation and Testing).

By this amendment, independent Claims 1, 8, 16, and 21 have been amended to recite the allowable subject matter of Claims 5, 13, 19, and 23, respectively, and further to recite a definition of the parameter "n".

In view of the foregoing, Applicant respectfully submits that independent Claims 1, 8, 16, and 21 are now allowable. Further, Applicant submits that dependent Claims

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2-4, 9-12, 17-18, and 22, which depend respectively from amended Claims 1, 8, 16, and 21 are also allowable.

#### New Claim 26

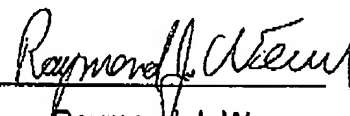
New Claim 26 depends from amended independent Claim 16, and recites that the detector unit comprises a ring buffer and a plurality of accumulators. Support for Claim 26 can be found in the specification at page 7, line 17, through page 8, line 4, and in Fig. 2.

#### Conclusion

All of the rejections in the outstanding Office Action of 21 December 2004 have been responded to, and Applicant respectfully submits that the pending Claims 1-4, 6-12, 14-18, 20-22, and 24-26 are now in condition for allowance.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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